

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, APRIL 25, 2005**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:08 p.m. on Monday, April 25, 2005, with President Talley presiding.

Councillor Conley led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

President Talley instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley
0 ABSENT:

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Nytes recognized members of the Equal Opportunity Advisory Board in attendance this evening. Councillor Mahern introduced Andre Smith, college student, who is here to learn more about local government. Councillor Plowman recognized Eric Miller, founder of Advance America.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, April 25, 2005, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Steve Talley
President, City-County Council

April 12, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, April 13, 2005 and in the *Indianapolis Star* on Thursday, April 14, 2005, a copy of a Notice of Public Hearing on Proposal Nos. 145 and 146, 2005, said hearing to be held on Monday, April 25, 2005, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

April 18, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 42, 2005 – approves an increase of \$342,342 in the 2005 Budget of the Marion County Community Corrections Agency (State & Federal Grants Fund) to fund supplies, services, and capital expenses related to the initial start-up of the work release center, funded by a grant from Department of Corrections

FISCAL ORDINANCE NO. 43, 2005 - approves an increase of \$35,820 in the 2005 Budget of the Marion County Community Corrections Agency (State & Federal Grants Fund) to fund services for a substance abuse treatment program, funded by a grant from the Department of Justice, Indiana Criminal Justice Agency

FISCAL ORDINANCE NO. 44, 2005 – approves an increase of \$7,775 in the 2005 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund), to pay for 93 vinyl-coated resting benches for dog runs in the shelter's investigation kennel, financed by private donations

FISCAL ORDINANCE NO. 45, 2005 – approves a transfer and an appropriation of \$168,553 in the 2005 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants and Federal Grants Funds), to continue support of the Family Justice Center Initiative with the Julian Center and training for all agencies involved in this project, fund overtime for the East and South Districts, supplies, travel and training, and surveillance equipment for the East and South District Neighborhood Resource Officers, to fund overtime for Gang Resistance Education and Training (G.R.E.A.T.) officers, supplies and incentives for G.R.E.A.T kids, travel and training for G.R.E.A.T officers and transportation and meals for G.R.E.A.T camp, to fund overtime for DUI enforcement through the Marion County Traffic Safety Partnership, to fund increased outreach initiatives for the Indiana Coalition Against Sexual Assault (INCASA), and to purchase surveillance equipment for the Community Action Response and Enforcement Initiative in the North District, financed by grants from the State of Indiana and the Federal Department of Justice, and a transfer between characters

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FISCAL ORDINANCE NO. 46, 2005 – approves a transfer of \$20,995 in the 2005 Budget of the Department of Public Safety, Emergency Management Division (Non-Lapsing Federal Grants Funds), to purchase personal protection equipment financed by a transfer between characters

GENERAL ORDINANCE NO. 21, 2005 - authorizes intersection controls for the Meridian Park Estates, Sections 3, 4 and 5 (District 2)

GENERAL ORDINANCE NO. 22, 2005 - authorizes intersection controls for the Berkshire Subdivision, Sections 1A, 2A, 1B and 2B (District 13)

GENERAL ORDINANCE NO. 23, 2005 - authorizes intersection controls for the Longwood Glen Subdivision, Section 1 (District 18)

GENERAL ORDINANCE NO. 24, 2005 - authorizes intersection controls for the Lappin Way Subdivision, Section 1 (District 18)

GENERAL ORDINANCE NO. 25, 2005 - authorizes intersection controls for the Creekside Meadows Subdivision, Section 1 (District 21)

GENERAL ORDINANCE NO. 26, 2005 - authorizes intersection controls for the Decatur Ridge Subdivision, Sections 2 & 3 (District 22)

GENERAL ORDINANCE NO. 27, 2005 - authorizes intersection controls for the Sherman Commons Subdivision, Sections 1 and 2 (District 24)

GENERAL ORDINANCE NO. 28, 2005 - authorizes intersection controls for the Burton Crossing Subdivision, Section 3 (District 25)

GENERAL ORDINANCE NO. 29, 2005 - authorizes intersection controls for the Franklin Meadows Subdivision (District 25)

GENERAL ORDINANCE NO. 30, 2005 - authorizes intersection controls for the Thompson Park Subdivision, Section 1 (District 25)

SPECIAL RESOLUTION NO. 26, 2005 - recognizes the 350th Anniversary of Jews living in America and the 100th Anniversary of the Jewish Federation of Greater Indianapolis

SPECIAL RESOLUTION NO. 27, 2005 - recognizes the value of the AfterSchool Coalition of Indianapolis, the after-school movement in Indianapolis, and the role 21st Century Community Learning Center funding plays in the creation of such positive programs for youth

SPECIAL RESOLUTION NO. 28, 2005 – amends Special Resolution No. 21, 2005 recognizing the members and 50th Anniversary of the 1955 Crispus Attucks Tigers State Basketball Championship team

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed.

Councillor Langsford made the following motion:

Mr. President:

Remonstrators and petitioners continue to negotiate a compromise regarding Proposal No. 133, 2005. Therefore, I move that the public hearing on Proposal No. 133, 2005, Rezoning Case 2004-ZON-123, be postponed until the May 9, 2005 Council hearing.

Councillor Bradford seconded the motion, and Proposal No. 133, 2005 was postponed by a unanimous voice vote.

Councillor Nytes stated that she understands there are a number of amendments for consideration on Proposal No. 68, 2005 this evening. Because of the extensive work and time invested by the Equal Opportunity Advisory Board on this ordinance, and because the proposal is under Final Adoption and not up for public debate this evening, she is concerned about last-minute

amendments which the board has no opportunity to respond to. She moved, seconded by Councillor Gray, to return Proposal No. 68, 2005 to Committee so that the board can weigh in on any proposed amendments.

Councillor Schneider opposed the motion to return the proposal to Committee. He said that numerous meetings have been held and the board has had two years to consider amendments. Sending the proposal back to Committee will not accomplish anything, as all of the information is before the Council. He said that the public has had ample time to weigh in on the matter and he would prefer it be heard tonight.

Councillor Gray said that it is not unprecedented to return a proposal to committee for amendments so as not to hold lengthy discussions on the Council floor. He asked his fellow Council members to support the motion.

Councillor Sanders said that as chair of the committee, this issue only had two hearings and many members were absent at these meetings. She said that it is important to give this issue proper due diligence. She said that the advisory board has spent two years on this ordinance, but the committee has only had two hearings.

The motion to return Proposal No. 68, 2005 to committee failed on the following roll call vote; viz:

14 YEAS: Abdullah, Bowes, Boyd, Brown, Conley, Gibson, Gray, Keller, Mahern, Mansfield, Nytes, Oliver, Sanders, Talley

15 NAYS: Borst, Bradford, Cain, Cockrum, Day, Franklin, Langsford, McWhirter, Moriarty Adams, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

President Talley stated that Proposal No. 68, 2005 will then be heard under Final Adoption this evening as in the originally published agenda.

Without further objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of April 11, 2005. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 167, 2005. The proposal, sponsored by Councillors Mansfield and Sanders, recognizes North Central High School Girls' Basketball Team on their second straight Class 4A State Championship. Councillor Mansfield read the proposal and presented representatives with copies of the document and Council pins. Coach Alan Vickrey thanked the Council for the recognition and commended the team for their excellence both on the basketball court and in the classroom. Councillor Mansfield moved, seconded by Councillor Sanders, for adoption. Proposal No. 167, 2005 was adopted by a unanimous voice vote.

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Proposal No. 167, 2005 was retitled SPECIAL RESOLUTION NO. 29, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 2005

A SPECIAL RESOLUTION recognizing North Central High School Girls Basketball Team on their second straight Class 4A State Championship.

WHEREAS, North Central High School Panthers captured their second straight Class 4A State Championship by defeating Gary West 57-54 at Conseco Fieldhouse; and

WHEREAS, North Central defeated the number one ranked Hamilton Southeast in the first round of the sectionals; and

WHEREAS, the Panthers ended the season with a 20-7 record; and

WHEREAS, the team is also the sectional, regional and semi-state champions and the co-champions in the Metropolitan Interscholastic Conference; and

WHEREAS, while the school requires a 2.0 grade point average to participate in extra circular activities, the team has a 3.27 grade point average; and

WHEREAS, the Panthers will lose two outstanding senior players, Katrina Overby and Tiffany White and three student managers Ashley Cole, Lauren Finch and George Watson, all of whom stayed positive and encouraged the team to stay focused; and

WHEREAS, the team was lead by head coach Alan Vickrey and assistant coaches Pam Zwickel, Lawrence Courtney and Jeremy Moore; and

WHEREAS, Coach Vickrey was named the Star's 2005 All-North girls basketball team Coach of the Year and junior Amber Harris was named Player of the Year; and

WHEREAS, other team members include Briana Bass, Tatjana Smith, Amy Sutton, Jessica Baxter, Jackie Gill, Kenzie Handley, Leshia Hill, Alexis Jennings, Margaret Orzeske and Whitley Wynns and student manager Chris Wills; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council congratulates North Central High School Panthers girls basketball team on an outstanding season on the court and in the classroom.

SECTION 2. The Council wishes the seniors Katrina Overby, Tiffany White, Ashley Cole, Lauren Finch and George Watson success as they graduate from high school and seek new challenges and opportunities.

SECTION 3. The Council hopes the spirit and success of the last two seasons will continue for the remaining team members and Coach Alan Vickrey.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 168, 2005. The proposal, sponsored by Councillors Mansfield and Sanders, recognizes North Central High School Boys' State Swimming and Diving Championship Team. Councillor Mansfield read the proposal and presented representatives with copies of the document and Council pins. Coach Mark Heese thanked the Council for the recognition and said that these players strive for excellence both in the classroom and the playing field. Councillor Mansfield moved, seconded by Councillor Sanders, for adoption. Proposal No. 168, 2005 was adopted by a unanimous voice vote.

Proposal No. 168, 2005 was retitled SPECIAL RESOLUTION NO. 30, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 2005

A SPECIAL RESOLUTION recognizing North Central High School Boys State Swimming and Diving Championship Team.

WHEREAS, the North Central High School Boys Swimming and Diving Team captured the State Championship title and ended their season with a 14-1 record; and

WHEREAS, while the school requires a 2.0 grade point average to participate in extra curricular activities, and the team has a 3.51 grade point average; and

WHEREAS, the Panthers were led by head coach Mark Heese and assistant coaches Todd Griner, Brian Powers and Mark Butcher; and

WHEREAS, Riley Boulden, Michael Christy, Peter Jameson, Ken Minturn and Drew Sease are the 400 Freestyle Relay State Champions; and

WHEREAS, the team consists of eight 9th graders, eight 10th graders, ten 11th graders and five 12th graders who helped the team become Sectional, Marion County and Metropolitan Interscholastic Conference Champions; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council praises North Central High School Panthers Boys Swimming and Diving team on their successful state championship win.

SECTION 2. The Council congratulates seniors Patrick Blachly, Tyler Boulden, Christian Goodrich, John Hartley and Chris Noel and wishes them much success as they look to the future and take on new and challenging endeavors after completing high school.

SECTION 3. The Council wishes the team and the coach success as they focus on future state championship wins.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 194, 2005. The proposal, sponsored by All Councillors, memorializes the bravery and service of Patrolman Timothy Jacob Laird with a plaque to be placed in the 2700 block of South Dietz Street. Councillor Keller read the proposal and presented representatives with copies of the document and Council pins. Debbie Laird, mother of Officer Laird, thanked the Council, the Indianapolis Police Department, Flanner and Buchanan, and all citizens for their thoughtfulness and consideration. Councillor Keller moved, seconded by Councillor Franklin, for adoption. Proposal No. 194, 2005 was adopted by a unanimous voice vote.

Proposal No. 194, 2005 was retitled SPECIAL RESOLUTION NO. 31, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 2005

A SPECIAL RESOLUTION memorializing the bravery and service of Patrolman Timothy Jacob Laird with a plaque to be placed in the 2700 block of South Dietz Street.

WHEREAS, on August 19, 2004, officers of the Indianapolis Police Department's South District responded to a report of "shots fired" in the 2700 block of South Dietz Street; and

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WHEREAS Patrolman Timothy Conley was the first responding officer and as he arrived was shot by a mentally-disturbed suspect wielding a high-powered rifle who was laying in wait under the cover of darkness; and

WHEREAS, Officer Timothy Jacob Laird unselfishly responded to the call of “shots fired and officer down” in an attempt to save the officer and prevent further violence in the neighborhood; and

WHEREAS, Officer Timothy Jacob Laird was fatally wounded by his assailant as he responded to secure the neighborhood; and

WHEREAS, in a lasting memorial to the bravery and unselfish actions of Patrolman Timothy Jacob Laird, a plaque has been created to honor this service to his community; and

WHEREAS, Washington Park Cemetery Association, which serves the greater Indianapolis community with seven locations, in conjunction with Flanner and Buchanan Funeral Centers, which serves the greater Indianapolis community with eleven locations, wish to continue their longstanding tradition of honoring public servants by providing a bronze memorial in support of Officer Timothy Jacob Laird’s family, friends and colleagues as a permanent reminder of his ultimate sacrifice for our community; and

WHEREAS, this memorial plaque will be placed at the site where Officer Timothy Jacob Laird unselfishly gave his life for the protection of his community and fellow officers; and now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. In honor of the bravery and service of Patrolman Timothy Jacob Laird of the Indianapolis Police Department, a memorial plaque has been commissioned by Washington Park Cemetery Association.

SECTION 2. This memorial plaque will be permanently affixed in the 2700 block of South Dietz Street to forever commemorate the ultimate sacrifice of Patrolman Timothy Jacob Laird.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 195, 2005. The proposal, sponsored by Councillors Gray and Talley, recognizes Sue Shively’s retirement as Chief Deputy Assessor of the Center Township Assessor's Office. Councillor Gray read the proposal and presented a copy of the document and a Council pin to Ms. Shively. Ms. Shively thanked the Council for the recognition. Councillors Abdullah, Gibson, and Conley stated that Ms. Shively was instrumental in their running for public office. Councillor Gray moved, seconded by Councillor Gibson, for adoption. Proposal No. 195, 2005 was adopted by a unanimous voice vote.

Proposal No. 195, 2005 was retitled SPECIAL RESOLUTION NO. 32, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 2005

A SPECIAL RESOLUTION recognizing Sue Shively’s retirement as Chief Deputy Assessor of the Center Township Assessor's Office.

WHEREAS, Sue Shively was the first African American to serve as Chief Deputy Assessor of the Center Township Assessor’s Office; and

WHEREAS, she was appointed to the position by Center Township Assessor, Jim Maley, and served for 22 years until her retirement; and

WHEREAS, Ms. Shively is currently Ward Chairwoman for the sixth ward and serves on the Center Township Trustee Board’s Earn and Learn Youth Program; and

WHEREAS, she has been involved in community service activities such as Crime Watch and the Northwest Neighborhood Planning Association; and

WHEREAS, while president of the United Northwest Area Inc, she was instrumental in organizing the Senior Citizens Program; and

WHEREAS, Ms. Shively has been a Sunday School teacher at St. John Missionary Baptist Church; and

WHEREAS, Mayor Bart Peterson proclaimed November 24, 2004 Sue Shively Day, former Governor Joseph Kernan presented her with the Distinguished Hoosier Award and Congresswoman Julia Carson honored her with a Congressional Salute for Stellar Performance from the United States House of Representatives; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council congratulates Sue Shively on her retirement and thanks her for 22 years of service to the people of Center Township and the Center Township Assessor's Office.

SECTION 2. The Council wishes Ms. Shively much enjoyment and success in future endeavors.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 209, 2005. The proposal, sponsored by Councillors Borst and Talley, congratulates the Indiana Sports Corporation on their 25th Anniversary. Councillor Borst read the proposal and presented Mark Newman, chief executive officer, with a copy of the document and a Council pin. He stated that former Councilwoman Susan Williams is now the new president of the Indiana Sports Corporation. Mr. Newman thanked the Council for the recognition. Councillor Borst moved, seconded by Councillor Cockrum, for adoption. Proposal No. 209, 2005 was adopted by a unanimous voice vote.

Proposal No. 209, 2005 was retitled SPECIAL RESOLUTION NO. 33, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 33, 2005

A SPECIAL RESOLUTION congratulating the Indiana Sports Corporation on their 25th Anniversary.

WHEREAS, in December 1979, the Indiana Sports Corporation was formed and the people of Indianapolis had no idea what was to come in future years, and

WHEREAS, The Indiana Sports Corporation has helped put Indianapolis on the national and international map by hosting events such as Men's and Women's NCAA Final Fours, the 1982 National Sports Festival, the 1987 Pan American Games, Olympic trials in several sports, the 1984 Olympic men's and women's basketball doubleheader witnessed by 67,596 spectators in the Dome, co-hosting the Circle City Classic, Olympic Torch Relays, Big Ten Men's and Women's Basketball Championships, and world championships in 1987 Track and Field, 1991 Gymnastics, 1994 Rowing, 2002 Basketball, and 2004 Swimming, and

WHEREAS, the Indiana Sports Corporation is responsible for more than a dozen major sports headquarters, including the NCAA, that call Indianapolis home, and

WHEREAS, over \$2.5 million has been awarded to 200 youth-serving Champs Grants organizations and 132 Olympic hopefuls in Future Olympian grants, and

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WHEREAS, tens of thousands of Hoosiers have volunteered for Indiana Sports Corporation sponsored events, and tens of thousands of Indiana youth have benefited making Indianapolis a model for the rest of the sporting world, and

WHEREAS, The Indiana Sports Corporation is responsible for over \$3 billion in economic impact on Central Indiana over the last 25 years through the events and other activities it has been engaged in; now therefore;

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council congratulates and thanks the Indiana Sports Corporation for 25 years of tremendous success and for helping make Indianapolis the "Amateur Sports Capital" of the United States.

SECTION 2. The Council wishes the Indiana Sports Corporation another 25 very successful years of even more success.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 777, 2004. Councillor Borst reported that the Rules and Public Policy Committee heard Proposal No. 777, 2004 on April 12, 2005. The proposal, sponsored by Councillor Borst, appoints Alan Retherford to the Citizens Advisory Committee for Franklin Township Comprehensive Plan. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Borst, for adoption. Proposal No. 777, 2004 was adopted by a unanimous voice vote.

Proposal No. 777, 2004 was retitled COUNCIL RESOLUTION NO. 54, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 54, 2005

A COUNCIL RESOLUTION appointing Alan Retherford to the Citizens Advisory Committee for Franklin Township Comprehensive Plan.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Advisory Committee for Franklin Township Comprehensive Plan, the Council appoints:

Alan Retherford

SECTION 2. The appointment made by this resolution is for a term ending as specified in Sec. 231-401(e) of the Revised Code of the Consolidated City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

PROPOSAL NO. 64, 2005. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 64, 2005 on April 12, 2005. The proposal, sponsored by Councillors Gray, Talley, Sanders and Brown, appoints Michael Rodman to the Information Technology Board. By a 5-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst stated that he opposed the proposal in committee. He said that a year ago in February, the Treasurer was taken off of the Technology Board and the Sheriff was put on, and now the Council wants to put the Treasurer back on by taking off the Auditor. He moved,

seconded by Councillor Bradford, to amendm the proposal to appoint Martha Womacks to the board. The motion failed on the following roll call vote; viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy
15 NAYS: Abduallah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley

Councillor Boyd moved, seconded by Councillor Gray, for adoption. Proposal No. 64, 2005 was adopted on the following roll call vote; viz:

15 YEAS: Abduallah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Sanders, Talley
14 NAYS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

Proposal No. 64, 2005 was retitled COUNCIL RESOLUTION NO. 55, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 55, 2005

A COUNCIL RESOLUTION appointing Michael Rodman to the Information Technology Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Information Technology Board, the Council appoints:

Michael Rodman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2005. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

PROPOSAL NO. 144, 2005. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 144, 2005 on April 13, 2005. The proposal, sponsored by Councillor Borst, reappoints Katherine Behan to the Citizens Police Complaint Board. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Borst, for adoption. Proposal No. 144, 2005 was adopted by a unanimous voice vote.

Proposal No. 144, 2005 was retitled COUNCIL RESOLUTION NO. 56, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 56, 2005

A COUNCIL RESOLUTION reappointing Katherine Behan to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council reappoints:

Katherine Behan

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2006.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 171, 2005. Introduced by Councillors Nytes and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 7,962 square feet of office space at 155 East Market Street, Suite 200, for a home detention program of the Marion County Community Corrections Agency"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 172, 2005. Introduced by Councillors Nytes and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which determines the need to lease approximately 47,720 square feet of office space at 1848 Ludlow Avenue for a Work Release Center of the Marion County Community Corrections Agency"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 173, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Revised Code provisions regarding the Marion County Criminal Justice Planning Council and the procedures for expenditures from the Drug Free Community Fund"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 174, 2005. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$2,300,150 in the 2005 budget of the Marion County Auditor (County General Fund) to make a payment for the housing of juvenile inmates, funds transferred from the Children's Psychiatric Residential Treatment Fund to the County General Fund (IC 12-19-7.5-33) "; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 175, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$115,000 in the 2005 Budget of the Public Defender Agency (State and Federal Grants Fund) to pay contractual services for sentencing consultants, substance abuse screener, Juvenile Diversion Program facilitator and Midtown Mental Health Center, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 176, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$88,076 in the 2005 Budget of the Marion County Community Corrections Agency (State and Federal Grants Fund) to fund a substance abuse treatment program, funded by a grant from Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 177, 2005. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$50,000 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) for Commissioners to hear Parental Termination Cases, funded by a grant from the Indiana Supreme Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 178, 2005. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$15,000 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) for Commissioners to hear

Parental Termination Cases, funded by a grant from the Indiana Supreme Court"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 179, 2005. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$25,000 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) to provide funds for a Guardian Ad Litem, Court Appointed Special Advocate representation at Juvenile Court, funded by a grant from Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 180, 2005. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$16,806 in the 2005 Budget of the Marion Superior Court (Guardian Ad Litem Fund) to increase appropriation to allow for full amount of State Grant to pass through to Child Advocates"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 181, 2005. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$44,189 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) to provide for a pass-through grant for Transitional Assistance Services that provide services for at-risk youth, funded by a grant from Indiana Criminal Justice Institute "; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 182, 2005. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$25,000 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) to provide funds for Community Service Worker Coordinator, funded by a grant from Southeast Umbrella Organization Weed and Seed, Department of Justice"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 183, 2005. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$288,530 in the 2005 Budget of Marion Superior Court (State and Federal Grants Fund) to pay for salaries for Drug Treatment Court, funded by a grant from Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 184, 2005. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$116,347 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) to pay for salaries for Community Court, funded by a grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 185, 2005. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$496,380 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) to provide funds for Marion Superior Court staff, Public Defender staff, and Prosecutor salaries, funded by a Young Offenders Grant from the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 186, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$489,100 in

the 2005 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to cover salaries, fringes and overtime for Hancock, Hamilton and Marion County, funded by a Metro Drug Task Force Grant from Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 187, 2005. Introduced by Councillors Talley, Conley, Moriarty Adams and Gibson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Greg Taylor to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 188, 2005. Introduced by Councillor Randolph. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Augusta Commons (Crossing) Subdivision, Sections 1 and 2 (District 1)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 189, 2005. Introduced by Councillor Salisbury. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Country Charm Subdivision, Sections 1 and 2 (District 13)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 190, 2005. Introduced by Councillor Mahern. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking control changes on Capitol Avenue between Maryland Street and Washington Street (District 19)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 191, 2005. Introduced by Councillor Langsford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Willow Lakes Subdivision, Section 4 (District 21)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 192, 2005. Introduced by Councillor Langsford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Willow Oaks Subdivision, Section 4 (District 21)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 193, 2005. Introduced by Councillors Borst, Cockrum, Day and Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which endorses Senate Bill 307, which creates a bipartisan commission to study consolidation of government services in Marion County"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 197, 2005, PROPOSAL NOS. 198-206, 2005, and PROPOSAL NOS. 207-208, 2005. Introduced by Councillor Mahern. Proposal No. 197, 2005, Proposal Nos. 198-206, 2005, and Proposal Nos. 207-208, 2005 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on April 11 and 15, 2005. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 44-55, 2005, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 44, 2005.

2004-ZON-858

4036 WEST MORRIS STREET (Approximate Address), INDIANAPOLIS

WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 19.

UNITED RENTALS, INC., by Joseph D. Calderon, requests a rezoning of 1.76 acres, being in the D-5 District, to the I-3-S classification to provide for an equipment sales/rental facility.

REZONING ORDINANCE NO. 45, 2005.

2004-ZON-154

9502 AND 9540 MASTERS ROAD AND 6845 AND 6901 EAST 96TH STREET (Approximate Addresses), INDIANAPOLIS

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 5

MANN PROPERTIES, LLP, by Stephen D. Mears, requests a rezoning of 9.74 acres, being in the D-A District, to the C-S classification to provide for all C-1 uses, and limited C-3 uses.

REZONING ORDINANCE NO. 46, 2005.

2004-ZON-159

2610 NORTH BOLTON AVENUE (Approximate Address), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 17

INSIGHT ENGINEERING, INC. requests a rezoning of 6.195 acres, being in the I-2-S District, to the I-3-U classification to provide for the construction of a bakery and a baked goods distribution center.

REZONING ORDINANCE NO. 47, 2005.

2004-ZON-160

5801 EAST 27TH STREET (Approximate Address), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #17.

INSIGHT ENGINEERING, INC. requests a rezoning of 3.8 acres, being in the I-2-S District, to the I-3-U classification to provide for the construction of a bakery and a baked goods distribution center.

REZONING ORDINANCE NO. 48, 2005.

2004-ZON-161

5795 EAST 27TH STREET (Approximate Address), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 19.

INSIGHT ENGINEERING, INC. requests a rezoning of 1.9 acres, being in the I-2-S District, to the I-3-U classification to provide for the construction of a bakery and a baked goods distribution center.

REZONING ORDINANCE NO. 49, 2005.

2004-ZON-163

4896 KENTUCKY AVENUE (Approximate Address), INDIANAPOLIS

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 22.

MIDWEST COMMERCIAL DEVELOPMENTS, LLC requests a rezoning of 0.88 acre, being in the D-3 District, to the C-5 classification to provide for automobile sales.

REZONING ORDINANCE NO. 50, 2005.

2005-ZON-011

410-414 WEST VERMONT STREET (Approximate Addresses), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15.

DEPARTMENT OF METROPOLITAN DEVELOPMENT requests a rezoning of one acre, being in the UQ-1 (RC) and CBD-2 (RC) Districts, to the SU-1 (RC) classification to legally establish religious uses.

REZONING ORDINANCE NO. 51, 2005.

2005-ZON-017

4500, 4514, 4530 AND 4618 SOUTH EMERSON AVENUE AND 4940 REDFERN DRIVE (Approximate Addresses), BEECH GROVE

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 20.

August 25, 2005

KRG DEVELOPMENT, LLC, by Joseph D. Calderon, requests a rezoning of 16.172 acres, being in the C-4, C-S, and C-6 Districts, to the C-4 classification to provide for a redevelopment featuring a Lowe's Home Improvement Center.

REZONING ORDINANCE NO. 52, 2005.

2005-ZON-019

3334-3340 CENTRAL AVENUE (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9.

RAPHAEL REALTY, by Kurt F. Pantzer, requests a rezoning of 0.47 acre, being in the D-8 District, to the C-3 classification to provide for use as a family life center and parking.

REZONING ORDINANCE NO. 53, 2005.

2005-ZON-029

1521-1523 NORTH NEW JERSEY (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #9

JO ELLEN BUFFIE requests a rezoning of 0.2 acre, being in the C-4 District, to the D-8 classification to legally establish a residential use.

REZONING ORDINANCE NO. 54, 2005.

2004-ZON-144

7629 SOUTH MERIDIAN STREET (Approximate Address), INDIANAPOLIS

PERRY TOWNSHIP, COUNCILMANIC DISTRICT #23

NIRUPAMA, LLC, by Michael J. Kias, requests a rezoning of 1.49 acres, being in the C-3 District, to the C-5 classification to provide for commercial uses.

REZONING ORDINANCE NO. 55, 2005.

2005-ZON-024

1201 NORTH BELMONT AVENUE (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15.

CITY OF INDIANAPOLIS BOARD OF SCHOOL COMMISSIONERS, by David Kingen, requests a rezoning of 5.754 acres, being in the PK-1 (W-1) District, to the SU-2 (W-1) classification to provide for the construction of a neighborhood elementary school.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 145, 2005. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 145, 2005 on April 13, 2005. The proposal, sponsored by Councillors Moriarty Adams and McWhirter, approves an increase of \$12,294 in the 2005 Budget of the Department of Public Safety, Police Division (Federal Grants Fund), to pay for officer overtime for seat belt enforcement through the Marion County Traffic Safety Partnership, financed by a federal grant. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Schneider said that this was originally part of a larger appropriation and he asked that it be separated out. He could then not attend the subsequent meeting where this was voted on. He said that given the circumstances and budget constraints in Marion County, he believes this to be a misdirection of funds and there are bigger priorities to address. He said that he opposes the proposal.

Councillor Gibson stated that this promotes safety in the operation of vehicles and is much needed.

President Talley called for public testimony at 8:15 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Gibson, for adoption. Proposal No. 145, 2005 was adopted on the following roll call vote; viz:

25 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cockrum, Conley, Day, Franklin, Gibson, Gray, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Speedy, Talley

2 NAYS: Cain, Schneider

2 NOT VOTING: Keller, Randolph

Proposal No. 145, 2005 was retitled FISCAL ORDINANCE NO. 47, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Twelve Thousand Two Hundred Ninety-four Dollars (\$12,294) in the Federal Grants Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division to pay for officer overtime for seat belt enforcement through the Marion County Traffic Safety Partnership, financed by a federal grant.

SECTION 2. The sum of Twelve Thousand Two Hundred Ninety-four Dollars (\$12,294) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

1. Personal Services

TOTAL INCREASE

FEDERAL GRANTS FUND

12,294

12,294

SECTION 4. The said additional appropriation is funded by the following reductions:

Unappropriated and Unencumbered

Federal Grants Fund

TOTAL REDUCTION

FEDERAL GRANTS FUND

12,294

12,294

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 146, 2005. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 146, 2005 on April 13, 2005. The proposal, sponsored by Councillors Moriarty Adams and McWhirter, approves an increase of \$257,084 in the 2005 Budget of the Department of Public Safety, Police Division (Federal Grants Fund), to pay for a capacity upgrade on the Automated Fingerprint Identification System (AFIS), financed by a grant from the Federal Department of Justice passed through the State of Indiana Criminal Justice Institute. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

August 25, 2005

President Talley called for public testimony at 8:17 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor Gibson, for adoption. Proposal No. 146, 2005 was adopted on the following roll call vote; viz:

27 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy, Talley*
0 NAYS:
2 NOT VOTING: *Keller, Randolph*

Proposal No. 146, 2005 was retitled FISCAL ORDINANCE NO. 48, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Two Hundred Fifty-seven Thousand Eighty-four Dollars (\$257,084) in the Federal Grants Fund for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Police Division to pay for a capacity upgrade on the Automated Fingerprint Identification System (AFIS), financed by a grant from the Federal Department of Justice passed through the State of Indiana Criminal Justice Institute.

SECTION 2. The sum of Two Hundred Fifty-seven Thousand Eighty-four Dollars (\$257,084) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC SAFETY

POLICE DIVISION

3. Other Services and Charges
TOTAL INCREASE

FEDERAL GRANTS FUND

257,084
257,084

SECTION 4. The said additional appropriation is funded by the following reductions:

FEDERAL GRANTS FUND

Unappropriated and Unencumbered
Federal Grants Fund
TOTAL REDUCTION

257,084
257,084

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 68, 2005. Councillor Sanders stated that the Administration and Finance Committee heard Proposal No. 68, 2005 on March 15 and April 19, 2005. The proposal, sponsored by Councillors Nytes, Keller and Mansfield, amends the Code with respect to the Equal Opportunity Advisory Board and complaint adjudication. Councillor Sanders said that she

has been concerned about the response to this proposal. She said that focusing on one aspect and not looking at the proposal as a whole would be throwing the baby out with the bathwater. This proposal is about civil rights. Each person is created equal under the law and in the eyes of their God to whom they choose to show respect. She deferred to Councillor Nytes, primary sponsor of the proposal. Councillor Nytes detailed the aspects of the proposal and outlined all amendments. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bowes said that he has received 1,600 e-mails on this subject and he hopes no one makes their decision and bases their vote on misinformation that has been provided in some of these communications. He said that this proposal will not infringe on the rights of religious freedom or place any gag orders on any church's ministry. He said that the Council should respect the work that the Equal Opportunity Advisory Board has done to protect those who are discriminated against.

Councillor Nytes said that many who said that they would support the proposal previously because they believe in basic fairness and inclusion have now become uncomfortable and intimidated by misinformation. She said that this proposal simply expands the policy against bias and is not asking anyone to change their beliefs. She said that this proposal simply ensures that hiring and firing decisions are based on merit only. She said that she is saddened by the hypocrisy that fills this room this evening. She moved, seconded by Councillor Gray, to return Proposal No. 68, 2005 to Committee.

Councillor Schneider said that this motion has already been offered and failed. He asked for a point of order on allowing this motion. President Talley stated that he will allow the motion. General Counsel Aaron Haith said that there is nothing in the Council rules to prevent the Chair from recognizing a motion, even if it has already been made. Councillor Schneider asked how many times the same motion can be offered over and over. President Talley said that it can be offered as many times as it is recognized.

The motion to return to Committee failed on the following roll call vote; viz:

14 YEAS: Abdullah, Bowes, Boyd, Brown, Conley, Gibson, Gray, Keller, Mahern, Mansfield, Nytes, Oliver, Sanders, Talley

15 NAYS: Borst, Bradford, Cain, Cockrum, Day, Franklin, Langsford, McWhirter, Moriarty Adams, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy

Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 68, 2005 failed on the following roll call vote; viz:

11 YEAS: Bowes, Boyd, Brown, Conley, Gray, Keller, Mahern, Mansfield, Nytes, Oliver, Sanders

18 NAYS: Abdullah, Borst, Bradford, Cain, Cockrum, Day, Franklin, Gibson, Langsford, McWhirter, Moriarty Adams, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy, Talley

Councillor Sanders stated that this is now a dead proposal that affects so many other areas. She stated that this issue will therefore have to be revisited in the near future to make amendments that need to be made.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 147-154, 2005 on April 21, 2005. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 147, 2005. The proposal, sponsored by Councillors Gray and Nytes, authorizes no parking anytime restrictions on Ruckle Street between 37th Street and 38th Street (Districts 8, 9). PROPOSAL NO. 148, 2005. The proposal, sponsored by Councillor Keller, authorizes the deletion of a one-way northbound restriction on Highland Avenue between New York Street and 10th Street (District 16). PROPOSAL NO. 149, 2005. The proposal, sponsored by Councillor Brown, authorizes intersection controls for the Autumn Creek Subdivision, Sections 1, 2, 3 and 4 (District 18). PROPOSAL NO. 150, 2005. The proposal, sponsored by Councillor Cockrum, authorizes intersection controls for the Monteo Village Subdivision (District 22). PROPOSAL NO. 151, 2005. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Carriage Courts, Phase One (District 25). PROPOSAL NO. 152, 2005. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Sycamore Leaf (Run) Subdivision, Section 1 (District 25). PROPOSAL NO. 153, 2005. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the Wildcat Run Subdivision, Sections 1, 2 and 3 (District 25). PROPOSAL NO. 154, 2005. The proposal, sponsored by Councillor Plowman, authorizes intersection controls for the intersection of Little Oak Lane and Southport Road (District 25). By 7-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Plowman, for adoption. Proposal Nos. 147-154, 2005 were adopted on the following roll call vote; viz:

28 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

1 NOT VOTING: Brown

Proposal No. 147, 2005 was retitled GENERAL ORDINANCE NO. 31, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 31, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Ruckle Street, on the east side,
from a point 128 feet south of 38th Street to 38th Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 148, 2005 was retitled GENERAL ORDINANCE NO. 32, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 32, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-342, One-way streets and alleys designated.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-342, One-way streets and alleys designated, be and the same is hereby amended by the deletion of the following, to wit:

NORTHBOUND

Highland Avenue, from New York Street to 10th Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 149, 2005 was retitled GENERAL ORDINANCE NO. 33, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 33, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
28	Autumn Creek Dr Fall Dr	Fall Dr	Stop
28	Bremhaven Ct Falls Church Dr	Falls Church Dr	Stop
28	Dura Dr Leaf Dr	Leaf Dr	Stop
28	Dura Dr Peter Dr	Peter Dr	Stop
28	Fall Dr Peter Dr	Fall Dr	Stop
28	Falls Church Ct Falls Church Dr	Falls Church Dr	Stop
28	Falls Church Dr Peter Ct Peter Dr	Falls Church Dr	Stop
28	Falls Church Dr Rostock Ct	Falls Church Dr	Stop
28	Falls Church Dr Leaf Dr 23 rd St	Falls Church Dr Leaf Dr	Stop
28	German Church Rd 23 rd St	German Church Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

August 25, 2005

Proposal No. 150, 2005 was retitled GENERAL ORDINANCE NO. 34, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 34, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
38	Monteo Dr Monteo Ln	Monteo Ln	Stop
38	Alonzo Dr Monteo Ln Monteo Dr	None	All Way Stop
38	Banta Rd Monteo Dr	Banta Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 151, 2005 was retitled GENERAL ORDINANCE NO. 35, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 35, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
40	Arlington Av Timber Lake Blvd	Arlington Av	Stop
40	Rolling Meadow Blvd Timber Lake Blvd	Rolling Meadow Blvd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 152, 2005 was retitled GENERAL ORDINANCE NO. 36, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 36, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
47	Lavender Ct Sycamore Run Dr	Sycamore Run Dr	Stop
47	Southport Rd Sycamore Run Dr	Southport Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 153, 2005 was retitled GENERAL ORDINANCE NO. 37, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 37, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
41	Bracken Cir Bracken Ln	Bracken Ln	Stop
41	Bracken Dr Bracken Ln	Bracken Dr	Stop
41	Bracken Dr Kidwell Dr	None	All Way Stop
41	Bracken Dr Tresa Cir	Bracken Dr	Stop
41	Bracken Dr Tresa Dr	Bracken Dr	Stop
41	Five Points Rd Kidwell Dr	Five Points Rd	Stop
41	Kidwell Cir Kidwell Dr	Kidwell Dr	Stop
41	Kidwell Ct Kidwell Dr	Kidwell Dr	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 154, 2005 was retitled GENERAL ORDINANCE NO. 38, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 38, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

August 25, 2005

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
49	Little Oak Ln Southport Rd	Southport Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Sanders in memory of John Marshall; and
- (2) Councillor Keller in memory of Jack Hasty; and
- (3) Councillor Oliver in memory of Kristal and Lakesha Bonner, Henry Taylor, Jr. and Raymond L. "Hawkeye" Bannon, Sr.; and
- (4) Councillor Day in memory of Doyle Mays; and
- (5) Councillor Langsford in memory of Esther Kirchen; and
- (6) Councillor Gibson in memory of Lloyd C. Miller.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of John Marshall, Jack Hasty, Kristal and Lakesha Bonner, Henry Taylor, Jr., Raymond L. "Hawkeye" Bannon, Sr., Doyle Mays, Esther Kirchen, and Lloyd C. Miller. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:42 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 25th day of April, 2005.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)